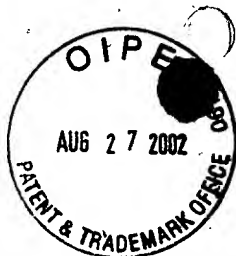


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REC'D CT/PTO 27 AUG 2002 #5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gautier et al.)
)
Appl. No. : 09/979,549)
)
Filed : November 19, 2001)
)
For : PROMOTER OF)
 THIOREDOXINE TaTrxh2 IN)
 WHEAT)
)
Examiner : Daniel Stemmer)

RENEWED PETITION UNDER 37 C.F.R. § 1.6(e)

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

ATTN: Office of PCT Legal Administration

Dear Sir:

In response to the Decision mailed March 25, 2002, Applicants respectfully petition to have a filing date of November 19, 2001 accorded to the above-captioned patent application.

As stated in the accompanying statement of Jose Colunga, on Monday, November 19, 2001, Mr. Colunga attempted to deposit correspondence with the USPS by Express Mail in regards to the above-captioned patent application for delivery to the Commissioner for Patents at the USPTO. However, the USPS refused to accept the correspondence. As a result, the correspondence was sent to the USPTO by first class mail. Applicants subsequently filed a Petition for Filing Date, along with a Statement of Jose Colunga, on Tuesday, November 20, 2001. Examiner Stemmer stated in the Decision that Applicants petition was dismissed.

Applicants respectfully wish to note that the errors Examiner Stemmer cites in the Decision are clerical errors, which Applicants assert are corrected by the present Renewed Petition Under 37 C.F.R. § 1.6(e). For example, in the Statement by Jose Colunga the term "we"

Appl. No. : 9/979,549
Filed : November 19, 2001

now recites "I" in order to clearly indicate that the individual Mr. Colunga attempted to deposit the correspondence. The date of November 19, 2001 was indeed a Monday, not a Tuesday as recited in the Petition for Filing Date. This discrepancy has also been corrected in the present Statement of Jose Colunga.

A complete copy of all the materials in the correspondence that Mr. Colunga attempted to deposit by Express Mail with the USPS on Monday, November 19, 2001 is attached hereto. The undersigned respectfully petitions to have a filing date of November 19, 2001 assigned to these materials. No fees are believed due. Please charge any required fees, including any fees for additional extension of time, to Deposit Account No. 11-1410. Should any further matters arise which may delay prosecution of this application the Examiner is respectfully requested to contact the under-signed attorney at the telephone number appearing below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/24/02

By: Mark R. Benedict

Mark R. Benedict
Registration No. 44,531
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(949) 760-0404

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner : Daniel Stemmer)

STATEMENT OF JOSE COLUNGA

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX FILING DATE

Dear Sir:

On Monday, November 19, 2001 I attempted to deposit correspondence with the USPS by Express Mail in regards to the above-identified patent application for delivery to the Commissioner for Patents at the USPTO. However, the USPS refused to accept the correspondence. As a result, the correspondence was sent to the USPTO by first class mail. A complete copy of all the materials in the correspondence is attached hereto.

Respectfully submitted,

Dated: 5/24/02

By: [Signature]

Jose Colunga